

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

DR. THOMAS M. EDSALL, and
GRISEL EDSALL
Plaintiffs

v.

ASSUMPTION COLLEGE,
DR. THOMAS R. PLOUGH,
DR. JOSEPH F. GOWER, and
DR. JOHN F. McCLYMER
Defendants

Civil Action
No. 04-40106-FDS

JOINT STATEMENT BY THE PARTIES

Pursuant to Local Rule 16.1(D) and the Notice of Scheduling Conference the parties hereby submit their suggested plan for discovery and the filing of motions in the within matter.

I. Suggested Discovery Plan

1. Initial Disclosures:

Initial disclosures required by Fed.R.Civ.P. 26(a)(1) must be completed by May 30, 2005.

2. Amendments to Pleadings:

Except for good cause shown, no motion seeking leave to add new parties or to amend the pleadings to assert new claims or defenses may be filed after December 30, 2005.

3. Fact Discovery – Interim Deadlines:

a. All requests for production of documents and interrogatories must be served by September 1, 2005.

b. All requests for admission must be served by September 20, 2005.

- c. All depositions, other than expert depositions, must be completed by December 30, 2005.

4. **Fact Discovery – Final Deadline:**

All discovery, other than expert discovery, must be completed by January 30, 2006.

5. **Expert Discovery:**

- a. Plaintiffs' trial experts must be designated, and the information contemplated by Fed.R.Civ.P. 26(a)(2) must be disclosed, by March 30, 2006
- b. Plaintiffs' trial experts must be deposed by May 30, 2006, but not before Defendants' designation.
- c. Defendants' trial experts must be designated, and the information contemplated by Fed.R.Civ.P.26(a)(2) must be disclosed by May 15, 2006.
- d. Defendants' trial experts must be deposed by July 30, 2006.

6. **Dispositive Motions**

- 1. Dispositive motions such as motions for summary judgment or partial summary judgment and motions for judgment on the pleadings, must be filed by August 31, 2006.
- 2. Opposition to dispositive motions must be filed within 30 days after service of the motion.

II. Trial By Magistrate

At this point, the Plaintiffs and Defendants have not determined whether they would be willing to consent to a trial by Magistrate Judge.

III. Local Rule 16.1 Certifications

The parties have attached hereto copies of their Local Rule 16.1 Certifications.

Plaintiffs

Dr. Thomas Edsall
Grisell Edsall
By Their Attorneys,

Defendant

Assumption College,
Dr. Thomas R. Plough, and
Dr. Joseph Gower
By Their Attorneys,

/s/ Paul J. Klehm

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney(s) of record for each other party by mail/hand on April 19, 2005.

/s/ Paul J. Klehm

Paul J. Klehm